



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 13, 1995

Mr. Paul F. Wieneskie
Cribbs and McFarland
P.O. Box 13060
Arlington, Texas 76094-0060

OR95-1211

Dear Mr. Wieneskie:

On behalf of the City of Richland Hills, you ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 30241.

The City of Richland Hills (the "city") has received three open records requests for appraisals of certain real property that may be acquired by the city for a flood control project. You claim that the information is excepted from required public disclosure by section 552.105 of the Government Code. We agree.

Section 552.105 excepts from required public disclosure "information relating to: . . . (2) appraisals or purchase price of real or personal property for a public purpose prior to the formal award of contracts for the property." Section 552.105 "was designed to protect a governmental body's planning and negotiation position with respect to particular transactions." Open Records Decision No. 564 (1990) at 2; *see also* Open Records Decision No. 357 (1982). The records you submitted for review are appraisal reports, and you indicate that the city has not yet purchased the property. Thus, you may withhold the requested information under section 552.105.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/PIR/ch

Ref.: ID# 30241

Enclosures: Submitted documents

cc: Ms. Josephine Jordan
3921 Airline Drive
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(w/o enclosures)

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